

**United States Bankruptcy Court  
Central District of California  
Los Angeles  
Judge Neil Bason, Presiding  
Courtroom 1545 Calendar**

**Thursday, January 13, 2022**

**Hearing Room 1545**

8:00 AM

**2:00-000000**

**Chapter**

- #1.00** Hearings in Judge Bason's courtroom (1545) are now simultaneously (1) in person in the courtroom, unless the Court has been closed (check the Court's website for public notices), (2) via ZoomGov video, and (3) via ZoomGov telephone.  
You are free to choose any of these options, except that evidentiary hearings/trials must be in person in the courtroom (unless otherwise ordered).  
You do not need to call Chambers for advance approval or notice.  
ZoomGov appearances are free.

**ZoomGov Instructions for all matters on today's calendar:**

Meeting ID: 160 709 9242

Password: 227800

Meeting URL: <https://cacb.zoomgov.com/j/1607099242>

Telephone: +1 669-254-5252 or +1 646-828-7666 or 833-568-8864 (Toll Free)

Please connect at least 5 minutes before the start of your hearing, and wait with your microphone muted until your matter is called.

**Chapter 13: Persons needing to contact the Chapter 13 Trustee's attorney, either prior to the hearing or during a recess, can call Kaleen Murphy, Esq. at (213) 996-4433.**

Docket 0

**Tentative Ruling:**

- NONE LISTED -

**United States Bankruptcy Court  
Central District of California  
Los Angeles  
Judge Neil Bason, Presiding  
Courtroom 1545 Calendar**

**Thursday, January 13, 2022**

**Hearing Room 1545**

8:30 AM

**2:17-23489 Juan Coria**

**Chapter 13**

**#1.00** Hrg re: Motion under Local Bankruptcy Rule 3015-1 (n)  
and (w) to modify plan or suspend plan payments

Docket 60

**Tentative Ruling:**

Appearances required, absent either (1) an agreement with the Chapter 13 Trustee's office to further continue this matter or (2) withdrawal of the motion. There is no tentative ruling, but the parties should be prepared to address the issues raised by the Chapter 13 Trustee (dkt. 62).

If you are making an appearance, you may do so (1) in person in the courtroom, unless the Court has been closed (check the Court's website for public notices), (2) via ZoomGov video, or (3) via ZoomGov telephone. For ZoomGov instructions for all matters on calendar, please see page 1 of the posted Tentative Rulings.

<b>Party Information</b>
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**Debtor(s):**

Juan Coria

Represented By  
Jaime A Cuevas Jr.

**Trustee(s):**

Kathy A Dockery (TR)

Pro Se

**United States Bankruptcy Court  
Central District of California  
Los Angeles  
Judge Neil Bason, Presiding  
Courtroom 1545 Calendar**

**Thursday, January 13, 2022**

**Hearing Room 1545**

8:30 AM

**2:16-25599 Angel Aguilar and Celia Aguilar**

**Chapter 13**

**#2.00** Hrg re: Motion to excuse the joint debtor from  
completing an application for entry of discharge

Docket 77

**Tentative Ruling:**

Grant.

Proposed order(s): Unless otherwise ordered, Movant is directed to lodge proposed order(s) on the foregoing matter(s) via LOU within 7 days after the hearing date (per LBR 9021-1(b)(1)(B)).

Appearances are not required. (If you wish to contest the tentative ruling, see the Posted Procedures of Judge Bason, available at [www.cacb.uscourts.gov](http://www.cacb.uscourts.gov), then search for "tentative rulings.")

If you are making an appearance, you may do so (1) in person in the courtroom, unless the Court has been closed (check the Court's website for public notices), (2) via ZoomGov video, or (3) via ZoomGov telephone. For ZoomGov instructions for all matters on calendar, please see page 1 of the posted Tentative Rulings.

<b>Party Information</b>
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**Debtor(s):**

Angel Aguilar

Represented By  
Rebecca Tomilowitz

**Joint Debtor(s):**

Celia Aguilar

Represented By  
Rebecca Tomilowitz

**Trustee(s):**

Kathy A Dockery (TR)

Pro Se

**United States Bankruptcy Court  
Central District of California  
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8:30 AM

**2:18-21206 Vera Ann Hollis-Wilson**

**Chapter 13**

**#3.00** Hrg re: Application of attorney for debtor for additional fees and related expenses in pending chapter 13 case

Docket 59

**Tentative Ruling:**

Appearances required.

There is no tentative ruling. Applicant is directed to appear to address the issues raised in the Order setting this matter for hearing and the declaration in response. See dkt. 62, p. 2, para. "(5)" and 65.

If you are making an appearance, you may do so (1) in person in the courtroom, unless the Court has been closed (check the Court's website for public notices), (2) via ZoomGov video, or (3) via ZoomGov telephone. For ZoomGov instructions for all matters on calendar, please see page 1 of the posted Tentative Rulings.

<b>Party Information</b>
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**Debtor(s):**

Vera Ann Hollis-Wilson

Represented By  
D Justin Harelik

**Trustee(s):**

Kathy A Dockery (TR)

Pro Se

**United States Bankruptcy Court  
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**2:21-17351 Jose Franco De La Torre**

**Chapter 13**

**#4.00** Hrg re: Objection to Claim Number 2  
by Claimant Cavalry SPV I, LLC.

Docket 22

**Tentative Ruling:**

Grant.

Proposed order(s): Unless otherwise ordered, Movant is directed to lodge proposed order(s) on the foregoing matter(s) via LOU within 7 days after the hearing date (per LBR 9021-1(b)(1)(B)).

Appearances are not required. (If you wish to contest the tentative ruling, see the Posted Procedures of Judge Bason, available at [www.cacb.uscourts.gov](http://www.cacb.uscourts.gov), then search for "tentative rulings.")

If you are making an appearance, you may do so (1) in person in the courtroom, unless the Court has been closed (check the Court's website for public notices), (2) via ZoomGov video, or (3) via ZoomGov telephone. For ZoomGov instructions for all matters on calendar, please see page 1 of the posted Tentative Rulings.

<b>Party Information</b>
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**Debtor(s):**

Jose Franco De La Torre

Represented By  
D Justin Harelik

**Trustee(s):**

Kathy A Dockery (TR)

Pro Se

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Central District of California  
Los Angeles  
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8:30 AM

**2:21-17351 Jose Franco De La Torre**

**Chapter 13**

**#5.00** Hrg re: Objection to Claim Number 3  
by Claimant Cavalry SPV I, LLC.

Docket 23

**Tentative Ruling:**

Grant.

Proposed order(s): Unless otherwise ordered, Movant is directed to lodge proposed order(s) on the foregoing matter(s) via LOU within 7 days after the hearing date (per LBR 9021-1(b)(1)(B)).

Appearances are not required. (If you wish to contest the tentative ruling, see the Posted Procedures of Judge Bason, available at [www.cacb.uscourts.gov](http://www.cacb.uscourts.gov), then search for "tentative rulings.")

If you are making an appearance, you may do so (1) in person in the courtroom, unless the Court has been closed (check the Court's website for public notices), (2) via ZoomGov video, or (3) via ZoomGov telephone. For ZoomGov instructions for all matters on calendar, please see page 1 of the posted Tentative Rulings.

<b>Party Information</b>
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**Debtor(s):**

Jose Franco De La Torre

Represented By  
D Justin Harelik

**Trustee(s):**

Kathy A Dockery (TR)

Pro Se

**United States Bankruptcy Court  
Central District of California  
Los Angeles  
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8:30 AM

**2:21-17351 Jose Franco De La Torre**

**Chapter 13**

**#6.00** Hrg re: Objection to Claim Number 4  
by Claimant Cavalry SPV I, LLC.

Docket 24

**\*\*\* VACATED \*\*\* REASON: Voluntary Dismissal of motion filed 12-3-21**

**Tentative Ruling:**

- NONE LISTED -

<b>Party Information</b>
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**Debtor(s):**

Jose Franco De La Torre

Represented By  
D Justin Harelik

**Trustee(s):**

Kathy A Dockery (TR)

Pro Se

**United States Bankruptcy Court  
Central District of California  
Los Angeles  
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8:30 AM

**2:21-17351 Jose Franco De La Torre**

**Chapter 13**

**#7.00** Hrg re: Objection to Claim Number 4  
by Claimant Cavalry SPV I, LLC.

Docket 33

**Tentative Ruling:**

Grant.

Proposed order(s): Unless otherwise ordered, Movant is directed to lodge proposed order(s) on the foregoing matter(s) via LOU within 7 days after the hearing date (per LBR 9021-1(b)(1)(B)).

Appearances are not required. (If you wish to contest the tentative ruling, see the Posted Procedures of Judge Bason, available at [www.cacb.uscourts.gov](http://www.cacb.uscourts.gov), then search for "tentative rulings.")

If you are making an appearance, you may do so (1) in person in the courtroom, unless the Court has been closed (check the Court's website for public notices), (2) via ZoomGov video, or (3) via ZoomGov telephone. For ZoomGov instructions for all matters on calendar, please see page 1 of the posted Tentative Rulings.

<b>Party Information</b>
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**Debtor(s):**

Jose Franco De La Torre

Represented By  
D Justin Harelik

**Trustee(s):**

Kathy A Dockery (TR)

Pro Se



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**2:21-17351 Jose Franco De La Torre**

**Chapter 13**

**#8.00** Hrg re: Objection to Claim Number 5  
by Claimant Cavalry SPV I, LLC.

Docket 25

**Tentative Ruling:**

Grant.

Proposed order(s): Unless otherwise ordered, Movant is directed to lodge proposed order(s) on the foregoing matter(s) via LOU within 7 days after the hearing date (per LBR 9021-1(b)(1)(B)).

Appearances are not required. (If you wish to contest the tentative ruling, see the Posted Procedures of Judge Bason, available at [www.cacb.uscourts.gov](http://www.cacb.uscourts.gov), then search for "tentative rulings.")

If you are making an appearance, you may do so (1) in person in the courtroom, unless the Court has been closed (check the Court's website for public notices), (2) via ZoomGov video, or (3) via ZoomGov telephone. For ZoomGov instructions for all matters on calendar, please see page 1 of the posted Tentative Rulings.

<b>Party Information</b>
--------------------------

**Debtor(s):**

Jose Franco De La Torre

Represented By  
D Justin Harelik

**Trustee(s):**

Kathy A Dockery (TR)

Pro Se

**United States Bankruptcy Court  
Central District of California  
Los Angeles  
Judge Neil Bason, Presiding  
Courtroom 1545 Calendar**

**Thursday, January 13, 2022**

**Hearing Room 1545**

8:30 AM

**2:21-17134 Francisco Lee Sumandal**

**Chapter 13**

**#9.00** Hrg re: Omnibus objection to proof of claims filed by LVNV Funding, LLC [Claim no. #1, #2 and #10]

Docket 32

**Tentative Ruling:**

Continue to 2/10/22 at 8:30 a.m. to address the following issues.  
Appearances are not required on 1/13/22. (If you wish to contest the tentative ruling, see the Posted Procedures of Judge Bason, available at [www.cacb.uscourts.gov](http://www.cacb.uscourts.gov), then search for "tentative rulings.")

If you are making an appearance, you may do so (1) in person in the courtroom, unless the Court has been closed (check the Court's website for public notices), (2) via ZoomGov video, or (3) via ZoomGov telephone. For ZoomGov instructions for all matters on calendar, please see page 1 of the posted Tentative Rulings.

Reason(s) for continuance:

Lack of cost/benefit analysis. The posted Procedures of Judge Bason (available at [www.cacb.uscourts.gov](http://www.cacb.uscourts.gov)) provide:

**§ 502: claim objections & cost/benefit analysis.** When objecting to claims, be sure to include an analysis of why the costs of preparing and litigating the claim objection (administrative expenses) do not exceed the anticipated benefits (reductions in claims). For example, if the claim at issue is a dischargeable nonpriority claim, and the anticipated dividend is small or 0%, then (a) the attorney fees incurred in prosecuting an objection probably will exceed the benefit to the bankruptcy estate/creditors, (b) Debtor typically is harmed by replacing a (dischargeable) general unsecured claim with an administrative expense, and (c) only the lawyer benefits (at the expense of both creditors and Debtor).

No later than 7 days after the date of this hearing the movant must file either:

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Los Angeles  
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**CONT...**

**Francisco Lee Sumandal**

**Chapter 13**

(1) a supplemental declaration explaining why the attorney fees for this objection are justified (including supporting evidence, such as a copy of the plan showing the projected dividend to the claimant, and a calculation comparing that projected dividend against the attorney fees related to this claim objection), or

(2) a withdrawal of the claim objection.

No fees on this matter, absent specific authorization. Counsel is directed not to charge any fees on this matter (including all past, present and future work related to this claim objection), and to return any fees received on this matter, unless and until this Court expressly finds: "Counsel has provided a cost/benefit analysis that is sufficient for purposes of the Posted Procedures of Judge Bason regarding claim objections." It is counsel's responsibility to include the quoted phrase, if warranted, in the proposed order on this claim objection.

This Court does not have the capacity to monitor all fee applications to assure compliance with the foregoing limitation on fees. But if counsel is found to have disregarded this limitation then this Court may impose sanctions.

<b>Party Information</b>
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**Debtor(s):**

Francisco Lee Sumandal

Represented By  
Elena Steers

**Trustee(s):**

Kathy A Dockery (TR)

Pro Se

**United States Bankruptcy Court  
Central District of California  
Los Angeles  
Judge Neil Bason, Presiding  
Courtroom 1545 Calendar**

**Thursday, January 13, 2022**

**Hearing Room 1545**

8:30 AM

**2:20-18003 Yolanda Espinosa**

**Chapter 13**

**#10.00** Cont'd hrg re: Objection to Proof of Claim #8  
filed by Bank of America, N.A.  
fr. 1/21/21, 03/18/21, 5/20/21, 07/22/21, 9/9/21,  
11/4/21

Docket 23

**Tentative Ruling:**

**Tentative Ruling for 1/13/22:**

Appearances required.

This matter has been continued multiple times, for almost a year, since 1/21/21. At the hearing on 11/4/21 this Court was persuaded to continue this matter yet again, based on an alleged settlement by the parties, but the docket does not reflect any motion to approve a settlement or other documents resolving this matter or the associated adversary proceeding (Adv. No. 2:21-ap-1183-NB). The parties are directed to address the current status, and what disposition of this matter is appropriate.

If you are making an appearance, you may do so (1) in person in the courtroom, unless the Court has been closed (check the Court's website for public notices), (2) via ZoomGov video, or (3) via ZoomGov telephone. For ZoomGov instructions for all matters on calendar, please see page 1 of the posted Tentative Rulings.

**Tentative Ruling for 11/4/21:**

Appearances required.

At the hearing on 9/9/21, this Court was persuaded to continue this matter to this date to allow the parties to discuss Debtor's proposed plan. There is no tentative ruling, but the parties should be prepared to address the status of their dispute resolution and, if no progress has been made, whether this Court should continue this matter in order for the adversary proceeding (Adv. No. 2:21-ap-01183-NB) to resolve the parties' disputes. In addition, the tentative ruling is to set a **deadline of 11/18/21** for Debtor's counsel to file a declaration with a cost/benefit analysis.

**United States Bankruptcy Court  
Central District of California  
Los Angeles  
Judge Neil Bason, Presiding  
Courtroom 1545 Calendar**

**Thursday, January 13, 2022**

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**CONT... Yolanda Espinosa**

**Chapter 13**

If you are making an appearance, note that hearings are now simultaneously (1) in person in the courtroom, (2) via ZoomGov video, and (3) via ZoomGov telephone. For ZoomGov instructions for all matters on calendar, please see page 1 of the posted tentative rulings.

**[INTERIM TENTATIVE RULINGS OMITTED]**

**Tentative Ruling for 1/21/21:**

Continue to 3/18/21 at 8:30 a.m. so that claimant can commence its contemplated adversary proceeding or the parties can reach a consensual resolution. Counsel for Debtor is cautioned about the need to exercise reasonable judgment in how much to expend in paying attorney fees instead of paying creditors. Appearances are not required on 1/21/21.

(1) Reasons for continuance

This Court has reviewed Debtor's motion (dkt. 23), the claimant's opposition (dkt. 30), and Debtor's reply (dkt. 31). Although Debtor's reply argues that the claimant has not cited authority, that puts the cart before the horse. Debtor is the objecting party and Debtor has not cited any authority that a deed of trust on real property is void or unenforceable as a matter of law when it includes the correct street address and a conflicting legal description for a particular parcel.

Alternatively, even if Debtor did not need to cite any such authority (which is incorrect), this Court's understanding of California law is contrary to Debtor's position. Based on unrelated litigation before this Court, the general rule appears to be that a transfer of an interest in property "is not void for uncertainty because of errors or inconsistency in some of the particulars of the description" if it is possible "from the whole description to ascertain and identify the land intended to be conveyed." *Gyurec v. Bank of New York Trust Co., NA* (Cal. Ct. App., 4th Dist., 2014) (unpublished, Case No. No. G050083) (quoting *Leonard v. Osburn*, 169 Cal. 157, 160 (1915)) (correct street address sufficient for deed of trust's validity, even though it incorrectly described property as located in "Township 4 North" instead of Township 4 South"). See *also* Cal. Code Civ. P. 2077 ("Where there are certain definite and ascertained particulars in the description, the addition of others which are indefinite, unknown, or false, does not frustrate the conveyance, but it is to be

**United States Bankruptcy Court  
Central District of California  
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CONT... Yolanda Espinosa

Chapter 13

construed by the first mentioned particulars.").

Based on the foregoing, it appears appropriate to continue this hearing for the parties either to litigate the issue or, perhaps, agree to a consensual resolution.

(2) Expenditure of funds on attorney fees

Given the apparent principles of California law (summarized above), Debtor's counsel is reminded of the need to do a cost/benefit analysis in determining whether it is worth expending funds on attorney fees that otherwise would go to pay creditors. Debtor's counsel is reminded that the posted "Procedures of Judge Bason" (available at [www.cacb.uscourts.gov](http://www.cacb.uscourts.gov)) state:

**§ 502: claim objections & cost/benefit analysis.** When objecting to claims, be sure to include an analysis of whether the costs of preparing and litigating the claim objection (administrative expenses) do not exceed the anticipated benefits (reductions in claims). For example, if the anticipated dividend is small or 0% then the attorney fees incurred in prosecuting your claim objection to any general unsecured claim probably will exceed the benefit to the bankruptcy estate/debtor, so filing that objection would be a waste of the bankruptcy estate's (and everyone else's) resources (unless, for example, the claim is nondischargeable, in which event the attorney fees might well be justified).

Debtor's claim objection does not include any cost/benefit analysis. If Debtor decides to continue with the claim objection, this Court will set a deadline at a future hearing for Debtor's counsel to file a cost/benefit declaration.

If appearances are not required at the start of this tentative ruling but you wish to dispute the tentative ruling, or for further explanation of "appearances required/are not required," please see Judge Bason's Procedures (posted at [www.cacb.uscourts.gov](http://www.cacb.uscourts.gov)) then search for "tentative rulings." If appearances are required, and you fail to appear without adequately resolving this matter by consent, then you may waive your right to be heard on matters that are appropriate for disposition at this hearing. Pursuant to Judge Bason's COVID-19 procedures, **all appearances are via ZoomGov**. For ZoomGov instructions for all matters on calendar, please see the tentative ruling for the

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Central District of California  
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8:30 AM

**CONT... Yolanda Espinosa**

**Chapter 13**

first matter on today's calendar (*i.e.*, page 1 of the posted tentative rulings). Unless otherwise stated, appearances via CourtCall are no longer permitted.

<b>Party Information</b>
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**Debtor(s):**

Yolanda Espinosa

Represented By  
Barry E Borowitz

**Movant(s):**

Yolanda Espinosa

Represented By  
Barry E Borowitz

**Trustee(s):**

Kathy A Dockery (TR)

Pro Se

**United States Bankruptcy Court  
Central District of California  
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Thursday, January 13, 2022

Hearing Room 1545

8:30 AM

2:20-11579 Patricia Maldonado Garcia

Chapter 13

#11.00 Cont'd hrg re: Debtor's Motion for  
Voluntary Dismissal of Chapter 13 Case  
fr. 12/9/21

Docket 32

**Tentative Ruling:**

**Tentative Ruling for 1/13/22:**

Grant in part and deny in part Debtor's request for dismissal of this case, as follows: grant Debtor a hardship discharge (pursuant to Debtor's request at dkt. 37) and then close (not dismiss) this bankruptcy case.

Proposed order(s): Unless otherwise ordered, Movant is directed to lodge proposed order(s) on the foregoing matter(s) via LOU within 7 days after the hearing date (per LBR 9021-1(b)(1)(B)) and attach a copy of this tentative ruling, thereby incorporating it as this Court's final ruling.

Appearances are not required. (If you wish to contest the tentative ruling, see the Posted Procedures of Judge Bason, available at [www.cacb.uscourts.gov](http://www.cacb.uscourts.gov), then search for "tentative rulings.")

If you are making an appearance, you may do so (1) in person in the courtroom, unless the Court has been closed (check the Court's website for public notices), (2) via ZoomGov video, or (3) via ZoomGov telephone. For ZoomGov instructions for all matters on calendar, please see page 1 of the posted Tentative Rulings.

**Tentative Ruling for 12/9/21:**

Appearances required. The tentative ruling, subject to any objection by the Chapter 13 Trustee or other party in interest at today's hearing, is to **continue this hearing to 1/13/22 at 8:30 a.m.**, with a **deadline of 12/14/21** for Debtor to serve the following documents on all creditors via U.S. mail, and file a proof of service:

(1) Debtor's response (dkt. 37) to this Court's Order (dkt. 34), in which Debtor requests a "hardship discharge" under 11 U.S.C.



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**CONT...**

**Patricia Maldonado Garcia**

**Chapter 13**

1328(b), and  
(2) a notice of (a) the continued hearing, (b) a deadline of 12/28/21  
for any opposition to the hardship discharge, and (c) a deadline  
of 1/6/22 for any reply.

Based on Debtor's response (dkt. 37), this Court anticipates that its tentative  
ruling for that continued hearing will be to grant a hardship discharge.

If you are making an appearance, note that hearings are now simultaneously  
(1) in person in the courtroom, (2) via ZoomGov video, and (3) via ZoomGov  
telephone. For ZoomGov instructions for all matters on calendar, please see  
page 1 of the posted Tentative Rulings.

<b>Party Information</b>
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**Debtor(s):**

Patricia Maldonado Garcia

Represented By  
Daniel King

**Trustee(s):**

Kathy A Dockery (TR)

Pro Se

**United States Bankruptcy Court  
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9:30 AM

**2:00-00000**

**Chapter**

**#1.00 PLEASE BE ADVISED THAT THE CHAPTER 13 9:30 AM  
CONFIRMATION CALENDAR CAN BE VIEWED ON THE  
COURT'S WEBSITE ([www.cacb.uscourts.gov](http://www.cacb.uscourts.gov)) UNDER:  
JUDGES>BASON, N.>CHAPTER 13>CONFIRMATION HEARINGS CALENDAR**

Docket 0

**Tentative Ruling:**

- NONE LISTED -

**United States Bankruptcy Court  
Central District of California  
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**Thursday, January 13, 2022**

**Hearing Room 1545**

11:00 AM  
**2:00-00000**

**Chapter**

**#1.00 PLEASE BE ADVISED THAT THE CHAPTER 13 HEARINGS  
at 11:00 AM CAN BE VIEWED ON THE COURT'S WEBSITE  
([www.cacb.uscourts.gov](http://www.cacb.uscourts.gov)) UNDER: JUDGES>BASON, N.>CHAPTER 13**

Docket 0

**Tentative Ruling:**

- NONE LISTED -